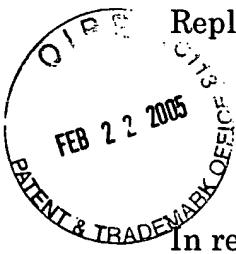


Appl. No. 10/643,545
Filed with Amdt. Dated February 17, 2005
Reply to Office Action of September 22, 2004

Attorney Docket No. 83394.0012
Customer No.: 26021



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KOBAYASHI, et al.

Serial No.: 10/643,545

Filed: August 19, 2003

For: System for Analyzing Compound
Structure

Confirmation No.: 4285

Art Unit: 2863

Examiner: John H. Le

I hereby certify that this correspondence
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Mail Stop Amendment
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Alexandria, VA 22313-1450

February 17, 2005

Date of Deposit

Kimberly Yee

Name: Kimberly Yee 02/17/05
Signature Kimberly Yee Date

DECLARATION UNDER 37 C.F.R. § 1.132

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. We, Kinya Kobayashi and Kiyomi Yoshinari, are inventors of the present application.

2. We are advised that in an Office Action mailed September 22, 2004, claims 1-11, 13, 15, 16, 18 and 20 were rejected under 35 U.S.C. 102(e) as being anticipated by USP 6,745,134 (hereinafter the '134 patent), which was first filed in the U.S. on Sept. 25, 2002.

3. We are two of the three named inventors of the '134 patent. The '134 patent is assigned to Hitachi, Ltd., which is the assignee of the present application.

4. The subject matter claimed in claims 1-11, 13, 15, 16, 18 and 20 of the present application, to the extent it is described in the '134 patent, is work done by us.

5. In particular, the contributions of Mr. Lee Chahn, the third named inventor of the '134 patent, to the '134 patent was limited to the subject matter illustrated in Figs. 7, 8 and 9 and described in Col. 8, lines 8-10 and Col. 8, line 28

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to Col. 9, line 23 of the '134 patent. The remaining subject matter of the '134 patent was the contribution of us.

7. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Kinya Kobayashi

Kinya Kobayashi

Dated: 2/4/2005

Kiyomi Yoshinari

Kiyomi Yoshinari

Dated: 2/4/2005

Page 2 of 2

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